



ERNIE FLETCHER
GOVERNOR

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF WASTE MANAGEMENT

14 REILLY ROAD

FRANKFORT, KENTUCKY 40601-1190

www.kentucky.gov

LAJUANA S. WILCHER
SECRETARY

July 8, 2004

James C. Forney
Waste Management, Inc.
3970 Heritage Avenue, Suite A
Okemos, MI 48864

Re: Red Penn Sanitation Company Landfill
Oldham County
Not/Com #20363, Mars # 9326

Dear Mr. Forney:

The Kentucky Division of Waste Management has recently reviewed the RD for the above referenced site, and the restrictive covenant (deed restriction) recorded on this property on March 5, 2003. Our review revealed that the deed restriction does not contain the signatures of the property owners but instead was signed by you on behalf of Waste Management, Inc. In accordance with Kentucky law, it is necessary for the deed restriction to contain the signatures of the current property owners.

Therefore, the Division is requesting that the deed restriction be modified to include the proper signatures. Please take the necessary steps to have the deed revised as noted above and record this revised document with the Oldham County Clerk's office and provide this office with the record of filing from the Clerk within forty-five (45) days from the date of this letter.

If you have any questions about this letter, I may be reached by telephone at (502) 564-6716, extension 263, or by email at susan.mallette@ky.gov. Or you may contact Randy McDowell at (502) 564-5576.

Sincerely,

Susan L. Mallette

Susan L. Mallette, PG
Geologist Registered
Superfund Branch

c: Femi Akindale, US EPA
Michael Amstadt, RMT, Inc
ec: Randall McDowell, Fazi Sherkat, Wesley Turner, Tim Harrod, EPPC



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